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6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**
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9 GEORGE DESALES MORSE,
10 Petitioner,
11 vs.
12 WARDEN PALMER, et al.,
13 Respondents.
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Case No. 3:12-CV-00038-HDM- (WGC)

ORDER

15 Petitioner has paid the filing fee (#5). Before the court is
16 his petition for a writ of habeas corpus pursuant to 28 U.S.C.
17 § 2254 and his motion for appointment of counsel (#4). Petitioner
18 is unable to afford counsel, and the issues presented warrant the
19 appointment of counsel. See 18 U.S.C. § 3006A(a)(2)(B).

20 IT IS THEREFORE ORDERED that the clerk of the court file the
21 petition.

22 IT IS FURTHER ORDERED that petitioner's motion for appointment
23 of counsel (#4) is **GRANTED**. The Federal Public Defender is
24 provisionally appointed to represent petitioner.

25 IT IS FURTHER ORDERED that the Federal Public Defender shall
26 have thirty (30) days from the date that this order is entered to
27 undertake direct representation of petitioner or to indicate to the
28 court his inability to represent petitioner in these proceedings.

1 If the Federal Public Defender does undertake representation of
2 petitioner, he shall then have sixty (60) days to file an amended
3 petition for a writ of habeas corpus or a motion for other
4 appropriate relief. If the Federal Public Defender is unable to
5 represent petitioner, then the court shall appoint alternate
6 counsel.

7 IT IS FURTHER ORDERED that the clerk shall add Catherine
8 Cortez Masto, Attorney General for the State of Nevada, as counsel
9 for respondents.

10 IT IS FURTHER ORDERED that the clerk shall electronically
11 serve both the Attorney General of the State of Nevada and the
12 Federal Public Defender a copy of the petition and a copy of this
13 order.

14 IT IS FURTHER ORDERED that respondents' counsel shall enter a
15 notice of appearance herein within twenty (20) days of entry of
16 this order, but no further response shall be required from
17 respondents until further order of the court.

18 IT IS FURTHER ORDERED that any exhibits filed by the parties
19 shall be filed with a separate index of exhibits identifying the
20 exhibits by number or letter. The CM/ECF attachments that are
21 filed further shall be identified by the number or numbers (or
22 letter or letters) of the exhibits in the attachment. The hard
23 copy of any additional state court record exhibits shall be
24 forwarded—for this case—to the staff attorneys in Las Vegas.

25 DATED: May 18, 2012.

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28 HOWARD D. MCKIBBEN
United States District Judge